

BEFORE THE HUMAN RIGHTS COMMISSION
OF THE STATE OF MONTANA

VERA (GAIL) MEEKS,)	
)	
Charging Party)	Cause No. 0032010455
)	
vs.)	ORDER AFFIRMING
)	NOTICE OF DISMISSAL
)	
KAREN MOORE - REMAX MOUNTAIN)	
VIEW REALITY,)	
)	
Respondent.)	

The above-captioned matter came before the Montana Human Rights Commission (Commission) on September 19, 2003. The Commission considered Charging Party's objection to the Notice of Dismissal of her complaint. Charging Party's request for oral argument was withdrawn.

In the Final Investigative Report, the Human Rights Bureau Investigator determined that a preponderance of the evidence did not support Charging Party's allegations of disability discrimination based on Respondents (Karen Moore and Remax Mountain View Reality) failure to provide Charging Party with a reasonable accommodation. *See Mont. Code Ann. § 49-2-305 and § 49-2-101(19)(b)* After careful and due consideration, the Commission concludes this finding is supported by the record and, therefore, there was no abuse of discretion by the Human Rights Bureau in its issuance of a Notice of Dismissal. *Admin. R. Mont. 24.9.1714(3)*

Charging Party will have 90 days after the receipt of this order to petition a district court in the district where the alleged violation occurred for the appropriate relief. *Mont. Code Ann. § 49-2-509(5) and Admin. R. Mont. 24.9.1714(5)* If Charging Party fails to commence a civil action within 90 days, the claim is time barred. *Id.*

IT IS HEREBY ORDERED, that Charging Party's objection is overruled and notice of dismissal is affirmed.

Dated this _____ day of September 2003

Mr. Gary Hindoien, Chair
Montana Human Rights Commission

CERTIFICATE OF SERVICE

The undersign employee of the Human Rights Bureau certifies that a true copy of the forgoing Human Rights Commission ORDER was served on the following persons by U.S. mail, postage prepaid, on September ____, 2003.

VERA MEEKS
PO BOX 5606
KALISPELL MT 59903

KAREN MOORE
REMAX MOUNTAIN VIEW REALTY
734 9TH STREET SUITE 12
COLUMBIA FALLS MT 59912

JUDAH GERSH
VISCOMI BARABAN & GERSHI PLLP
121 WISCONSIN AVENUE
WHITEFISH MT 59937

MARIEKE BECK
DEPARTMENT OF LABOR AND INDUSTRY
OFFICE OF LEGAL SERVICES
PO BOX 1728
HELENA MT 59624-1728

Montana Human Rights Bureau